

Notice of Allowability

Application No.

10/811,554

Examiner

Richard M. Lorence

Applicant(s)

JOHANN ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on November 10, 2005.
2. ☒ The allowed claim(s) is/are 1,3 and 5-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

The amendment filed on November 10, 2005 has been entered. The specification and claims 1, 3, 5, 8, 9, 27, 31 and 33 have been amended and claims 2 and 4 have been cancelled.

The replacement drawing sheet containing Figure 3 was received on November 10, 2005. The drawings are acceptable.

Claims 1, 3 and 5-33 are allowed.

The following is an examiner's statement of reasons for allowance:

None of the prior art of record shows or suggests a hydrodynamic clutch arrangement including a housing, pump wheel, turbine wheel and clutch device arranged together in the manner set forth in claim 1, wherein the clutch device brings the housing into and out of working connection with the pump wheel and comprises a separating wall having a first side facing the hydrodynamic circuit and a second side facing the takeoff-side wall of the housing, a control chamber between the second side and the takeoff-side wall, and a first control line connected to a pressure supply system, and particularly wherein the hydrodynamic circuit has a prevailing pressure and the pressure supply system selectively supplies the control chamber with a control pressure which is essentially the same as the prevailing pressure.

Nor does the prior art of record shows or suggests a hydrodynamic clutch arrangement including a housing, pump wheel, turbine wheel and clutch device arranged together in the manner set forth in claim 8, wherein the clutch device brings

the housing into and out of working connection with the pump wheel and comprises a separating wall formed by a clutch piston which is not rotatable with respect to the housing, has a first side facing the hydrodynamic circuit and a second side facing the takeoff-side wall of the housing, and wherein the clutch device further comprises a control chamber between the second side and the takeoff-side wall, and a first control line connected to a pressure supply system, wherein the clutch piston comprises at least one seal for sealing the hydrodynamic circuit from the control chamber and particularly wherein the seal allows a predetermined residual leakage between the hydrodynamic circuit from the control chamber.

Nor does the prior art of record shows or suggests a hydrodynamic clutch arrangement including a housing, pump wheel, turbine wheel and clutch device arranged together in the manner set forth in claim 9, wherein the clutch device brings the housing into and out of working connection with the pump wheel and comprises a separating wall formed by a clutch piston which is not rotatable with respect to the housing, has a first side facing the hydrodynamic circuit and a second side facing the takeoff-side wall of the housing, and wherein the clutch device further comprises a control chamber between the second side and the takeoff-side wall, a first control line connected to a pressure supply system, and at least one friction surface which can be urged toward the takeoff-side housing wall by the clutch piston, and particularly wherein the at least one friction surface acts as a seal between the hydrodynamic circuit and the control chamber.

Applicant's arguments, see pages 14-15 of the response filed November 10, 2005, with respect to the rejections of claims 1, 4 and 8 under 35 USC 102 as being anticipated by either Murphy '209 or Allen '417 have been fully considered and are persuasive. The rejections under 35 USC 102 have been withdrawn.

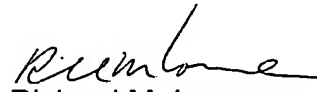
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Lorence whose telephone number is (571) 272-7094. The examiner can normally be reached on Mondays through Fridays from 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard M. Lorence
Primary Examiner
Art Unit 3681

Lorence/rml